MEETINGS TO DATE 5 NO. OF REGULARS 4 NO. OF SPECIALS 1

LANCASTER, NEW YORK FEBRUARY 17, 1975

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 17th day of February, 1975 at 8:00 P.M. and there were

PRESENT:

LEO N. WEIMER, SUPERVISOR

JOSEPH R. BARNHARDT, COUNCILMAN

EDWARD A. BERENT, COUNCILMAN

PETER J. BOLENDER, COUNCILMAN

ARTEL J. METZ, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

DOMINIC J. TERRANOVA, TOWN ATTORNEY

J. MICHAEL KELLEHER, DEPUTY TOWN ATTORNEY

EDWARD J. FERON, JR., TOWN ENGINEER

VICTOR H. OTT, POLICE CHIEF

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens regarding Block Grants of approximately \$18,097.00 the first years under Title 1 of the Housing and Community Act of 1974.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

SPEAKERS

ADDRESS

Mrs. Edith Fuldauer

12 Clark Street, Lancaster, New York

Mrs. Fuldauer suggested that the funds be used for a swimming pool at Como Park.

(Mrs. Fuldauer was the only speaker.)

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:34 P.M.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

DEPARTMENT	MONTH OR MONTHS OF
Town Clerk	January, 1975
Police Department	January, 1975
Building Inspector	January, 1975
Zoning Inspector	December, 1974 January, 1975
Ambulance	January, 1975

COMMITTEE REPORTS:

Councilman Metz, for the Library Committee, reported that the new Broadway Library has been completed to the extent of 60% of materials and 53% of labor, and that the estimated total completion date is June 1, 1975.

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BARNHARDT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BERENT, TO WIT:

held on January 27., 1975, and the minutes of the Regular Meeting of the Town Board Board held on February 3, 1975, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

WHEREAS, the Superintendent of Highways of the Town of Lancaster will require certain materials and supplies for the operation of his Department during the year 1975 which may reasonably be expected to exceed the sum of \$1,500.00, and

WHEREAS, it is in the public interest that sealed bids for the purchase of such supplies and materials be invited,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk advertise for bids to be received by the Town Board of the Town of Lancaster at the Town Hall, 21 Central Avenue, Lancaster, New York, until 8:15 o'clock P.M., Eastern Daylight Time, on the 3rd day of March, 1975, for the purchase of road oil, crushed stone, blacktop, grit, gravel, slurry seal, cinders and redi-mix concrete and that advertisement for bids be published in the Lancaster Enterprise-Journal on February 20, 1975, and posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF LANCASTER
HIGHWAY DEPARTMENT
LANCASTER, NEW YORK

Sealed bids will be received and publicly opened by the Town Board of the Town of Lancaster at 8:15 o'clock P.M., Eastern Daylight Time, March 3, 1975, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the following materials: road oil, crushed stone, blacktop, grit, gravel, slurry seal, cinders and redi-mix concrete.

Specifications for each of the above named materials are on file with and may be obtained from either the Highway Superintendent of the Town of Lancaster, 3789 Walden Avenue, Lancaster, New York, or the Town Clerk of the Town of Lancaster, 21 Central Avenue, Lancaster, New York.

The contract for the purchase of the above items will be awarded to the lowest responsible bidder. In cases where two or more responsible bidders submit identical bids as to price, the Town Board may award the contract to either of such bidders. The Town Board may reject all bids and readvertise for new bids at its discretion.

TOWN BOARD OF THE TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

February 17, 1975

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

мыхх The resolution was thereupon unanimously adopted.

WHEREAS, Mrs. Bette Flint, a member of the Town of Lancaster Youth Bureau and Recreation Commission, has resigned said positions by letter of January 25, 1975, due personal demands upon her time, and

WHEREAS, the said Mrs. Flint has devoted a great amount of personal time and effort without compensation and at great personal sacrifice on behalf of the Town of Lancaster Youth Bureau and Recreation Commission for the past several years,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts the resignations of Mrs. Bette Flint with regret and extends its sincere good wishes to Mrs. Flint in all her future endeavors.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

RESOLVED, that Liberty National Bank and Trust Company, Depew Branch, be and hereby is designated an official co-depository of the Town of Lancaster for the period February 18, 1975 through December 31, 1975, and that the Supervisor, as Chief Fiscal Officer, deposit such funds coming into his hands by virtue of his office in said bank as he shall determine.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	BARNHARDT	VOTED	YES
COUNCILMAN	BERENT	VOTED	YES
COUNCILMAN	BOLENDER	VOTED	YES
COUNCILMAN	METZ	VOTED	YES
SUPERVISOR	WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

WHEREAS, the Town of Lancaster has heretofore advertised for bids for the following projects, all to the Lancaster Town Center located on ... Pavement Road in the Town of Lancaster:

Bond Resolution 1 - Paving and Site Improvements:

Work includes new parking facilities, resurfacing of existing roads, curbs, drainage, landscaping, grading, signs and related improvements.

Bond Resolution 2 - Public Betterments:

Work includes Plumbing and Electrical work (2 separate bids), including water, sewer, fire protection, street lighting, electric distribution and related improvements.

Bond Resolution 3 - Additions, Reconstruction of Police, Court, Recreation Buildings:

Work includes General Construction, Plumbing, HVAC and Electric (4 separate bids) for police, court and recreation buildings and facilities improvements

and

WHEREAS, William R. Trautman Associates, Professional Engineers, heretofore retained by the Town of Lancaster in connection with said Lancaster Town Center projects, have reviewed, tabulated, reported and made recommendations with regard to said bids and award of contracts,

NOW, THEREFORE, BE IT

RESOLVED, that the following low bids in the amounts shown for work to be performed at the Lancaster Town Center be and hereby are approved and accepted, said bids being the lowest responsible bids submitted in conformance with the specifications relating thereto:

BOND RESOLUTION	CONTRACTOR	TOTAL BID
l 2 - Plumbing	Truckenbrod & Co., Inc. Dan Marzec Plumbing &	\$ 54,083.00
	Heating, Inc.	18,000.00
Electrical	Stroh Electric Construction Corporation	34,744.00
3 - General Construction	George Herman Associates	246,068.00
Plumbing HVAC	McCauley's Plumbing & Heating Thermo-Temp Corporation	26,352.00 45,125.00
Electrical	Anco Electric Company, Inc.	47,803.00

and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute contracts with the foregoing contractors on behalf of the Town of Lancaster, upon said Contractors furnishing all required bonds and insurance.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES,

SUPERVISOR WEIMER VOTED YES

The resolution was thereupon unanimously adopted.

WHEREAS, certain on-site modifications in the construction of the Lancaster Public Library have resulted in the necessity of certain change-orders, and

WHEREAS, the Town's architect has recommended such change-orders be accepted by the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the following change-orders:

S-3	Omission of Gravel Fill in that work performed on Laney property north of Library site	Deduct	\$ 100.00
C-4	Omit 3/4" depression in concrete slab in areas to be carpeted and change thickness of concrete slab on grade from 5" to 4-1/2"		No Change
C-5	Omit field painting of structural steel	Deduct	\$ 525.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

WHEREAS, the Town of Lancaster has awarded bids for work to be performed at the Lancaster Town Center and,

WHEREAS, the Town of Lancaster has heretofore retained William R.

Trautman Associates, Professional Engineers, by agreement dated October 14,

1974, which provided for payment for professional services through Final Design'

Phase,

NOW, THEREFORE, BE IT

RESOLVED, that William R. Trautman Associates, Professional Engineers, be and hereby are retained to provide professional services for Bidding and Construction Phase for the Lancaster Town Center, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute Attachment 'B' to said Agreement and that the Town Clerk forward executed copy of said Attachment 'B' to said Engineers.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

WHEREAS, National Fuel Gas Company has filed for a tariff change with the Public Service Commission of the State of New York, terminating natural gas service for new residential homes in this area, to take effect April 1,

WHEREAS, the home-building industry is an important part of the well-being of the economic status of this community, and

WHEREAS, such restriction on natural gas service to new homes will deal a death wow to new home construction, already foundering because of the unavailability of mortgage money and the general state of the economy, and

WHEREAS, a successful effort to conserve natural gas by industrial users could obviate the need for the moratorium on new residential gas sales by making sufficient natural gas supplies available for residential construction,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster memorialize

National Fuel Gas Company and the Pubfic Service Commission to withdraw and/or

reject the tariff change request of National Fuel Gas Company declaring a

moratorium on natural gas sales for new residential homes effective April 1,

1975, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to National Fuel Gas Company, the New York State Public Service Commission,
Assemblyman Vincent J. Graber and State Senator Dale Volker.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows;

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

WHEREAS, the Town of Lancaster Recreation Commission and the Recreation Committee of the Town Board have recommended reconditioning of the tennis courts at Starley J. Keysa Memorial Town Park, and

WHEREAS, said Commission and Committee have recommended retaining Grever & Ward, Inc. for consulting services in the drawing of plans and specifications, bidding and supervision of the work to be accomplished, all in accordance with a certain proposal submitted by said Grever & Ward, Inc. dated February 10, 1975,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board accepts the proposal of said Grever & Ward, Inc. for services in connection with the reconditioning of the tennis courts at Stanley J. Keysa Memorial Town Park at a cost not to exceed \$250.00 for field work and \$2500.00 for design work and supervision, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute said proposal dated February 10, 1975, and that the Town Clerk forward copy of said executed proposal to Grever & Ward, Inc.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

ACCOUNT		ORDE	R N	NUMBER			TOTAL AMOUNT
General Funds	No.	1625	to	1769	Incl.		\$ 34,382.58
Special District Funds	No.	- 117	to	123	Incl.		\$ 331,659.86
Part Town Funds • •	No.	132	to	136	Incl.		\$ 80,900.07
Highway Funds	No.	349	to	368	Incl.		\$ 14,761.81
Trust & Agency Funds	No.	52	to	53	Incl.	W.	\$ 50.00
Ambulance Capital Reserve	No.	14	to	14	Incl.		\$ 6,900.00
Federal Revenue Sharing	No.	13	to	13	Incl.	•	\$ 11,804.34
Capital Fund	No.	57	to	59	Incl.		\$ 52,558.68

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

WHEREAS, Ronald D. Feuerstein, a member of the Town of Lancaster. Emergency Ambulance Service Advisory Board, by letter of February 4, 1975, has submitted his resignation from such Board due to his being elected Director of Training of the Lancaster Volunteer Ambulance Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Ronald D. Feuerstein be and hereby accepted by the Town Board with regret and with sincere appreciation for his efforts on behalf of the Town of Lancaster Emergency Ambulance Service Advisory Board, and

BE IT FURTHER

RESOLVED, that Albert Rinow be and hereby is appointed a member of the Town of Lancaster Emergency Ambulance Service Advisory Board to fill the unexpired term of Ronald D. Feuerstein, said term expiring December 31, 1975.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

VAXIX

The resolution was thereupon unanimously adopted.

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

NO.	NAME	ADDRESS		STRUCTURE	
12	Cleveland Sumler	4846 William Street	EX. FR.	SING. DWLG.	•
13	Marrano Ent. Inc.	4 Kennedy Court	ER. FR. GAR.	SING. DWLG. PV	/T.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

STATUS REPORTS ON UNFINISHED BUSINESS:

1. <u>Signalization - Walden and Ransom</u>

The Town Clerk reported that parts and materials necessary for the installation of this signal are on order and that further progress awaits receipt of the necessary materials.

PERSONS ADDRESSING THE TOWN BOARD:

Mayor Urban Rozler of the Village of Lancaster spoke with the Supervisor about the anticipated future use of the Town Hall after the Police and Recreation facilities occupy the Lancaster Center and the future use of the Clark Street Library after these facilities are moved to the new Broadway Library Site.

COMMUNICATIONS:

DISPOSITION

03.	Re: Resume of actions taken in response to resolutions and directives of Monday,	7 & -
64.	February 3, 1975. U.S. Dept. of Interior, Bureau of Outdoor	Town Attorney
•	Recreation to Town Attorney - Reminder - Biennial Report due on 2/28/75 re: Former Army Nike Battery, BV-18.	
65.	Raymond Domino to Town Board - Re: Flooding - 35 Katherine Street.	<u>Engineers</u>
66.	Mayor Rozler to Town Board - Request information re: total amount of taxes paid to Town by Village residents and breakdown of what tax money is being expended toward.	Supervisor
67.	Mayor Rozler to Town Board - Request joint meeting between Village and Town and Lancaster School Board.	R & F
68.	Receiver of Taxes to Town Clerk - Re: Annual Report - 1974.	R & F Mike Kiouses, Enterprise
69.	President, Lancaster Vol. Ambulance Corps to Town Board - Re: Statistical Report on ambulance runs for 1974.	Village of Lancaster Village of Depew R & F
70.	Secretary, Emergency Ambulance Service Advisory Board to Town Board - Notification - Resignation as member of Emergency Ambulance Service Advisory Board.	R & F
71.	Trautman Associates to Town Clerk - Transmittal - Recommendation - Lancaster Center Contract Awards.	R & F
72.	Assemblyman, Vincent J. Graber to Town Board - Request attendance at local Legislative Listen-In, February 22, 1975.	R&F
73 4	Depew Village Clerk to Town Clerk - Transmittal - Certified copy of resolution of February 3, 1975 opposing construction	Sewer Dist. #4 Committee
	of separate Sanitary Sewer Disposal in Alden,	
74.	Ponald Diebel to Town Board - Request appointment to Lancaster Recreation Commission.	Recreation Committee
75•	Administrative Assistant to Vincent Graber to Supervisor - Notification - Town Hall usage of February (22nd-atc 10:00) a.m.	All Dept. Heads in Town Hall
76.	Director of Training, Lancaster Volunteer Ambulance Corps to Supervisor - Re: Suggestion in support and participation in Grant Application.	Councilman Berent

COMMUNICATIONS:

DISPOSITION

77•	Director of Manpower Services to All CETA Participating Agencies - Subject - Workmen's Compensation Insurance	Stanton & Ryan Inc. Supervisor
	Coverage.	
78.	County Highway Dept. to Town Board - Transmittal - Copy of "The Project Status - 1975".	R & F
79.	Chairman, Select Legislative Committee on Transportation to Town Board - Topic - Operating Assistance and Incentive Grants for Public Transportation in New York, Public Hearing February 25, 1975, Albany, New York.	R & F
80.	Niagara Frontier Builders' Association Inc. to Supervisor - Transmittal - Resolution - Opposing recent tariff filing of National Fuel Gas on January 20, 1975.	R & F
81.	Doctor Mosher to Supervisor - Letters of support for emergency medical services grant.	Supervisor
82.	Town Attorney to Town Board - Approval of service contract, Grever & Ward, Inc., Tennis Court reconditioning.	R & F
83.	Town Attorney to Town Board - Bid award - Lancaster Town Center.	R&F
	Supervisor Weimer requested a suspension of the	ne necessary rule for
i mme	diate consideration of the following communicat	tion SUSPENSION GRANTED
84.	Supervisor to Urban H. Rozler, Mayor Request joint meeting between Town and Village Boards on February 18, 1975 to discuss recreation matters.	R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 8:40 P.M. out of respect to:

CLARA KIMBROUGH

MARTIN BRAINARD

Signed

Robert P. Thill, Town Clerk